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November 23, 2004

Via First-Class Mail

Christine C. Gallagher, Esq.
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 5453 (Sal Trovato and Dawn Giordano)

Dear Ms. Gallagher:

This letter responds on behalf of Salvatore Trovato and Dawn Giordano ("Respondents") to the Federal Election Commission's Reason to Believe ("RTB") Finding that Respondents violated federal election laws by their roles in an alleged excessive contribution. For the reasons described below, the Commission should determine that no further action should be taken and close this matter.

Background

The General Counsel's RTB Analyses for Respondents state:

At issue is whether Salvatore Trovato made an excessive individual contribution Phillip Giordano ("the candidate") in connection with a certificate of deposit used as collateral to obtain a \$300,000 loan from Patriot National Bank ("the Bank") for the Giordano for U.S. Senate Committee ("the Committee").

And:

At issue is whether Dawn Giordano made an excessive individual contribution to her husband, Phillip Giordano ("the candidate") in connection with a

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certificate of deposit and real estate used as collateral to obtain a \$300,000 loan from Patriot National Bank ("the Bank") for the Giordano for U.S. Senate Committee ("the Committee").

Discussion

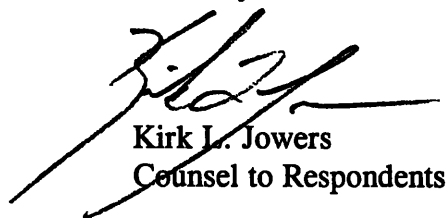
Neither Salvatore Trovato nor Dawn Giordano "intended to make an excessive contribution to the Giordano for U.S. Senate Committee." Statement of Salvatore Trovato ¶ 2 and Statement of Dawn Giordano ¶ 2. Mr. Trovato and Ms. Giordano are committed, however, to fully cooperate with the Commission so that this matter can be resolved as efficiently as possible. In this regard, Respondents decided not to file a motion to quash the Commission's subpoena/order to the Patriot National Bank, which sought information concerning certificate of deposit number [redacted]. Instead, Respondents hope that this information will assist the Commission in determining that no further action should be taken against Respondents. In addition, Respondents have searched for relevant documents in this matter and are providing them as Attachment B.

As you are aware, Philip Giordano "is currently in prison for non-election related activities." Statement of Dawn Giordano ¶ 4. Mr. Giordano's behavior has caused untold misery, heartache, and difficulties for Respondents. Mr. Giordano's actions also have forced them to respond to various law enforcement agency inquiries. To complicate matters, "[i]n July of 2001, as part of the investigation into his activities, agents from the Federal Bureau of Investigation confiscated most of [the Giordano] documents and many other family items" and "many more documents and family items were discarded during" the family's evacuation from their old house. Statement of Dawn Giordano ¶ 4.

Conclusion

I urge the Commission to take no further action on this matter against the Respondents.

Sincerely,



Kirk L. Jowers
Counsel to Respondents

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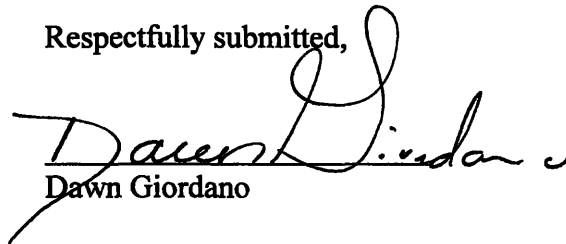
ATTACHMENT A

**STATEMENT OF
DAWN GIORDANO**

1. My name is Dawn Giordano. I was at the relevant time and am still the wife of Philip Giordano.
2. I never intended to make an excessive contribution to the Giordano for U.S. Senate Committee.
3. Phil was my husband and the candidate, but I was not actively involved in fundraising for the campaign nor in his committee's financial matters. I understood his campaign committee's attorneys were reviewing all financial activity of the committee to ensure compliance with the federal election laws, including his use of his share of our assets for the campaign.
4. Phil is currently in prison for non-election related activities. In July of 2001, as part of the investigation into his activities, agents from the Federal Bureau of Investigation confiscated most of our documents and many other family items.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed on November 20, 2004.

Respectfully submitted,


Dawn Giordano

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**STATEMENT OF
SALVATORE TROVATO**

1. My name is Salvatore Trovato. I am the father of Dawn Giordano and father-in-law of Philip Giordano.
2. I never intended to make an excessive contribution to the Giordano for U.S. Senate Committee. Specifically, I did not give \$300,000 to my daughter and son-in-law—which was placed in a certificate of deposit—as a contribution to the Giordano for U.S. Senate Committee, but rather as a gift to my daughter and her husband.
3. I frequently give gifts to my children and hope to continue assisting them as long as I am able.
4. I understood that the loan ultimately secured by the Giordano for U.S. Senate Committee was made in accordance with applicable banking laws, regulations, and procedures and in the ordinary course of business; and was not contingent on my then position as a member of the Board of Directors of the Bank.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed on November 19, 2004.

Respectfully submitted,


Salvatore Trovato

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ATTACHMENT B CONTAINED PERSONAL INFORMATION, THEREFORE, IT
HAS BEEN REMOVED

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